App. F. IX-4

1932
(Mazrai)

File No. 123-32

Serial Nos. 3-4

Previous References
Rev. 394-2
Rev. 3240-29-1-6
Mazrai 123-32-1-2

Later References
Rev 279-33-17

General and Revenue Secretariat.

Serial Nos. 2

Part B for June 33.

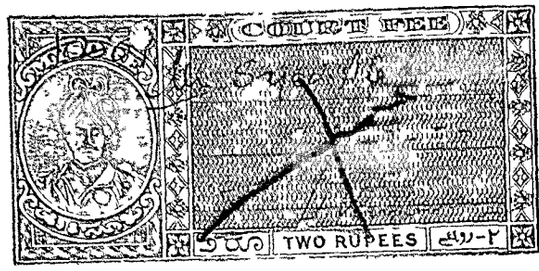
SUBJECT.

Appeal re restoration of Dc inam lands of Musafirkhana at Yelahanka.

814. To. The Hajee Syed Abdul Gaffar
C/o M. Shafi Russel Market
Bangalore

No 1646 of 12 J- 33.

Stating that the question cannot be re-opened



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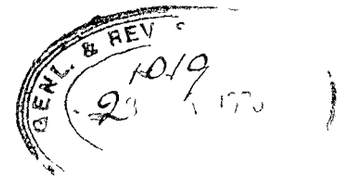

To

The Government of His Highness
The Maharaja of Mysore,
B A N G A L O R E.

The humble Memorial of Hajee Syed Abdul Gaffar, Merchant, Russel Market, C. and M. Station, Bangalore:

Most Respectfully and Humbly Showeth:-

The Finance Secretary with compliments.
Cash.
24.3.33.

That the memorialist respectfully begs to submit that his Maternal Grand Father built a Musafarkhana at Yelahanka, Bangalore Taluk at his own cost about a hundred years ago and on the 11th November 1851 the Benign Government of His Highness The Maharaja of Mysore were graciously pleased to grant a - plot of Dry land situate in Vaderahally, Yelahanka Hobli for the up-keep of the said Musafarkhana.

That the management of the Institution came to the hands of the memorialist on the 23rd January 1879 by means of a registered deed. The lands being fallow and unfit for cultivation he leased out the same for grazing purposes on an yearly rental of Rs.38/-. Oute of this amount he has been paying the Quit rent of Rs.31-2-6 due to the Government regularly every year up to 31-32(including)

That the memorialist inspite of the insignificant income from the lands has been maintaining the Musafarkhana out of his -- private funds.

That as the memorialist also is advanced in age thought it best to make some substantial arrangement for the permanent up keep of the Charity and with this object in view he got about 40,000 casurina trees planted in the said land at a cost of about Rs. 2,500/- to make use of the realization thereof for the benefit of the said Musafarkhana.

That the Patel and Shanbhog of the place who are ill-disposed towards the memorialist, as recently learnt, made a false report against the memorialist and on the strength of the same a notice was issued to the memorialist on 4-9-26 threatening him to resume the management of the Musafarkhana and its management along with the lands, in case he fails to effect necessary repairs to the building within six months thereof.

That the memorialist, even though the notice was vague and indefinite regarding the nature of repairs contemplated by the authorities, executed the repairs to the best of his knowledge at a cost of Rs.200/- and reported the matter to the authorities on 26-3-27 and awaited instructions in case further repairs were insisted upon.

That while the matter was being attended to in a regular course, like a bolt from the blue on 14-4-27 the Order of the Muzrai Commissioner came to him informing him that the management and the lands have been resumed by the Government. All his attempts to convince the authorities concerned the illegal and arbitrary nature of the said order became only a cry in wilderness.

That however the Shanbhog has been collecting the Quit rent from the memorialist every year regularly and is entering the same in the patta with the Memorialist. On a reference made to the Amildar the memorialist is informed in his No.P.R.10243 of 31-32 dated 12-7-1932 that on his enquiring the Shanbhog in the matter he has deposed that as the lands in question being under the Management of the Government the amounts have been refunded to the Memorialist, but as a matter of fact no such refund has ever been made by the Shanbhog nor received by the Memorialist. The said Shanbhog and the Patel have also got up a Mahazar some time after the said resumption order from the Villagers in their clique with the aid of the Shaikdar, copy enclosed, with what intention the memorialist is unable to comprehend.

That the memorialist has been managing the Institution very honestly without any complaint from any quarter ever since it came to his hands, he being the person who has a real and just interest in the said Charitable Institution belonging to his ancestors.

That the Memorialist respectfully begs to submit that inspite of his having effected the repairs to the building at a high cost within the time fixed by the authorities and reported the same as already stated, he has been treated most unjustly and contrary to all princles of common justice and fair play slosing the gates of justice to him and entirely relying on a false and frivolous report. The order under reference is nothing short of a blow for such of those - Mohammadans religiously disposed to think of any such charitable works henceforth. Further it has not only caused heavy loss to the memorialist but has lowered him very much in the estimation of his community for which he feels the most.

That the memorialist therefore prays that the order of resumption may kindly be set aside and the management restored to him with such instructions to him as the benign Government may deem fit in the management of the Charity of his ancestors and thus save the Honor and Prestige of the family in particular.

For which act of justice and generosity, the memorialist, as in duty bound ever remain grateful.

Bangalore City.
24th March 33.

The abpl. pet^n of 11.11.29 from the same gentleman was rejected on 3/4/30 (Vide order in para 4 of L.R 320-29-6
Again another pet^n of 25/10/32 from the same pet^r was rejected (Vide order in para 3 of L.R 123-32-2)
It is a time barred appln; & abpl lies
Attention will be invited thereon & the pet^n

123—32

.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

enforcements & intimated that the question can not be pressed for now —

Gr 8/4

Kind reference is invited to para 647 of the rules in the Reference Mag no 123-32/42 pr. sup (Hyd) 11/4/33

Fin Secy)

Secy 21 APR. No. 6.9.8

II member) 4/4/33 20/4/33

2/5 2/5/33

7 Dft Secy noted Gr 8/5/33

9/5

Sl. 4

No 1646 of 12/5/33 to the Hajee Syed Abdul & C & M. Station Bangalore intimating that the question can not be reopened —

No 1684 of 17/5/33 to the Mag the Commissioner for Religious Endowments

N.B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

3) 6

G.R.S. III—3]

Routine N. M

App. B. II-1

[To be used only for notes, requisitions, etc.; ...ded for permanent record.]

Above for information

DE... OFFICE 6217 1 MAY 1933

Petition of 13/5/33 17/5
from Hajee Syed Abdul
Gaffar Mudaliar of Maidan
Masjid & mercants
Russel market Bangalore.
praying for restoration
of lands resumed from
the Musafirkhana at
Yelahanka.

2) Minute of the Deewan
on the P. U. D :—

" Please let me see the
connected file "

3) Kind reference is invited to
No R 5886/CR 394-25-1 of 28/5/27 Y Z
No R 6829/CR 320-29-6 of 15/4/30 X
No 841/Rev 3 123-32-2 of 23/4/32 X
No 1646/Rev 3 123-32-4 of 12/5/33 X

Submitted with the connected files.

E.S. 17/5/33
Dewan)

19/5/33

4) Seen. Thanks
Rev
19/5/33

19/5/33

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

G. R. S [III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

(14) For notes of the specimens alluded in margin drawn to the attached endorsement no 1646 / 14.1.33 Typist's initials

(15) The pen may perhaps be filed. 26/5/33

(16) 1.6.33.

N.B.—Should routine notes be written on small slips these notes must be copied, or slips pasted on this form

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

N B — Should routine notes be written on small slips, the notes must de copied, or slips pasted on this form.

WD 1650—GPB—1,50 000—2 5-21

Appendix F G—1]

SUBJECT .....

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Section Hmg

File No. 123-32

Serial No. 4

Diary No. of letter replied to ..... Endn No. 1646 Confl

To

The Hajee Syed Abdul Gaffar
Merchant Russel Market
C+M. Station Bangalore

Rc. dept. his petn dt 24/3/3
praying for the restoration to
the Inam land in favour of the
Masatirkhana at Yelahanka,
Bangalore Tk, the petitioner's attention

General and Revenue Secretariat

( )

the 193 .

Date of issue 12/5/33

Signed by B Nadadhurinathaiya.

is drawn to Endn
Q6829/AR 320-29-6 dt 15/4/30 &
Nos 841/Hmg 123-32-2 dt
23/11/32 and he
is informed that the question cannot be
reopened - The enclosures to his petn
are herewith returned. Q.S.

9/5

List of enclosures .....

Copied by .....

Examined by .....

WD 0253—GPB—15,000—26-8-32

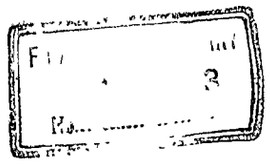
84 Mus 8

Copy of m.c. for information

OS. O

9/6

For file



Please let me see the connected file 13/5/33

To

The Dewan of Mysore,

B A N G A L O R E.

The humble petition of Hajee Syed Abdul Gaffar Mutavalli of Maidan Masjid & Merchant, Russel Market, Bangalore:

Most Respectfully Showeth:

1. The petitioner respectfully begs to submit that the Mussaferkhana built by his ancestors long ago was bestowed by a plot of land by the then Sovereign of the State in Vaderahalli for the up keep of the same at Yelahanka. The land is a waste one and is unfit for any kind of cultivation.

2. The petitioner has been managing the said institution since 23rd January 1879. He had leased out the said land for grazing purposes for a sum of Rs.38/- per year and was paying the Government dues of Rs.31-2-6 out of it regularly up to the year 1932 as per patta. Even though the income is an insignificant one the petitioner has been paying funds out of his pockets and maintaining the same in view of the Honor and Prestige of the family.

3. The petitioner being advanced in age, thought of creating a fund to the institution and with this view he has planted about 45,000 casurina trees in the said land at a heavy cost of more than Rs.2,500/-.

3. The petitioner was all on a sudden served with a notice on 4-9-26, probably on some misrepresentation of facts out of malice, to effect repairs to the Musafarkhana

within 6 months thereof failing which to resume the lands as well as the Musafarkhana, which is the family property. The petitioner did effect the necessary repairs, to the best of his knowledge and made a report on 26-3-27.

4. That on 14-4-27 the order of the Muzrai Commissioner was communicated to him for having -- resumed the Musafarkhana and the lands by the Government.

5. The memorialist begs to submit that no fault was found with him nor any charge levelled - against him and his explanation taken, and as such the said order is one passed on misrepresentation of facts and exparte.

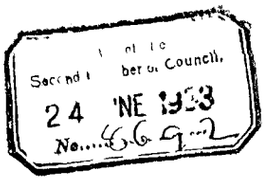
6. The petitioner was ever ready to do any kind of repairs to the Building if he had only been directed to. In the notice no such definite instructions were given.

7. It may not be out of place to mention here that the petitioner has endowed a property worth more than Rs.8,000/- to the above said Musjid and is also proposing to make some more of the kind as he is much advanced in age.

8. The present order of the Government is a blow not only to him but to the prestige of the family.

The petitioner therefore prays that the matter may be enquired into and the lands restored with such instructions as the Benign Government may be pleased to - give him.

For which act of kindness he shall feel highly grateful.



To

The Hon'ble The Member in Council,

Government of Mysore, Bangalore.

Honoured Sir,

I, the undersigned Haji Syed Abdul Gaffar Saib, Furniture Shop, Russell Market, C. & M. Station, Bangalore respectfully beg to state as follows:-

I approached the Dewan Saheb on the 13th May 1933 for a reconsideration of the order of the Government confirming that of the Muzrai Commissioner in the matter of resumption of the lands given as Inamthi to the Mussaferkhana at Yelahanka, and submitted that the said order is an exparte one and also not based any facts. Since I did not hear anything till now I approached him at his Private Quarters yesterday, when I have been directed to approach your honor and to explain the facts to your goodself and also saying that my humble petition is forwarded to your gracious consideration.

I therefore beg leave to approach your honor earnestly praying for justice being done to me.

I may be permitted to state in brief, that the Mussaferkhana is a private property, built on our land at our own cost. In appreciation of the charity the Lands in the Yelahanka Taluk were given as Inamthi by the Late Maharaja Saheb Sree Krishnarajendra Wodayar Bahadur for its maintenance. The lands are waste and not cultivable at all. It is only very recently the lands were leased out for grazing purposes for a sum of Rs.38/ per annum and out of this amount the quit rent of Rs.32/- and odd is paid to the Government.

I further beg to add that my having planted a Casurina Tope therein at a cost of Rs.2,500/- in the said lands seems to have given room for some malicious reports against me and also to stab me from behind.

1415

The order calling upon me to effect repairs to the Mussaferkhana is vague, as it does not specify the nature of the repairs contemplated by the authorities. For this six months time was given. I did all the repairs and reported the matter to the Amildar within the time allowed. Before the expiry of the said period the order of resumption was served on me. Till the end of 1932 the quit rent for the lands due by me has been regularly collected and recorded in the patta.

In fact the lands are in the possession of my family for over 100 years. Hitherto I am not aware of the grounds that prompted the authorities to resume the lands, Mussaferkhana and the produce on the lands worth about Rs.10 to 15,000/-, which I have raised at a heavy cost of Rs.2,500/- not to speak of my personal attention and labour.

It is my earnest desire to see that the charity made by my ancestors do not go out of the hands of the family to its disgrace and also to make a permanent arrangement for the continuence of the same for ever. The Govern ment may impose any terms which I am ready to obey for the up keep of the Mussaferkhana. I am prepared to sacrifice anything and everything for the proper management and up keep of the same.

I have already made a gift of property to a Musjid worth more than Rs.8000/- and have an intention to do something more for the benefit of the poor and needy and as such, it need not be taken that I have planted the tope for my personal use.

I pray that in the interests of justice and the prestige of the family the present order of resumption, which has caused me very heavy loss and lowered me much in the eyes of my community, myself being a Mutavalli,, may kindly be set aside.

For which act of kindness I shall feel highly grateful

I beg to remain,

Honoured Sir

Your most obedient servant,

24th June 33.

The pet bears no Signature. In this view it is for orders of it may be filed or the petner informed as in para 14 of the file Regarding A. No 1263732-32 may be filed.

16